IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6620 of 2007()

CRIME NO. 201/07 OF KAKKUR POLICE STATION

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PETITIONER/ACCUSED NO.4:

V.E. RIYAS, S/O. IBRAHIMKUTTY,
AGED 19 YEARS,VANCHIPURAKKAL,KONGATTUPARAMBU HOUSE
IDAPPALLY NORTH, KUNNUMPURAM, ERNAKULAM.

BY ADV. SRI.T.K.AJITHKUMAR (VALATH)

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN-31.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6620 of 2007

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Dated this the 31st day of October, 2007

O R D E R

Application for regular bail. The petitioner is a 19 year old person. He is the 4th accused of the seven accused in a crime registered under Section 395 I.P.C. The victim was allegedly a carrier of Hawala money. The accused persons, who came to know that the victim was carrying Hawala money in his motor cycle, allegedly proceeded in a car, deliberately hit against the motor cycle, in which the defacto complainant was proceeding and when he fell, the bag in which he was carrying a lot of cash was taken away by the miscreants who proceeded further in their car. Enroute the car met with an accident and the miscreants tried to take to their heels. Local people surrounded and apprehended them. The petitioner is one of those who were apprehended. He was arrested by the police and continues in custody from 7.10.2007. Investigation is in progress. Final report has not been filed yet.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He, who has been continuing in

custody from 7.10.2007, may in these circumstances be enlarged bail, it is prayed.

3. The learned Prosecutor opposes the application. He submits that the investigation is not complete. The allegations reveal a very serious crime. The Investigators may be given sufficient time to complete the investigation. The petitioner may not be enlarged on bail, urges the learned Prosecutor.

4. I have considered all the relevant inputs. Notwithstanding the young age of the petitioner and notwithstanding the fact that the petitioner is not shown to have any criminal antecedents, the nature, gravity and seriousness of the allegations and the stage of the investigation do not persuade me to grant regular bail to the petitioner at this stage.

4. This application is, in these circumstance, dismissed. But I may hasten to observe that the petitioner shall be at liberty to move this court or the courts below for bail again at a later stage of the investigation, not at any rate, prior to 14.11.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R. BASANT)
Judge

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